

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: L.A. CASTONGUAY et al.

Serial No. 10/509,584

Filed: September 29, 2004

For: BICYCLIC AMIDES

Art Unit: _____

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By 

Date

12/3/04

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

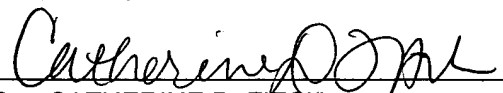
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: CATHERINE D. FITCH

Attorney _____ For Applicant(s)

Reg. No. 36,502

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4283

Date: December 3, 2004

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		5624941		Barth et al.	04/29/1997
		6028084		Barth et al.	02/22/2000
		4973587		Ward et al.	11/27/1990
		5013837		Ward et al.	05/07/1991
		5081122		Ward	01/14/1992
		5112820		Ward	05/12/1992
		5292734		Levin et al.	03/08/1994
		USSN 60/504,377		Armstrong et al.	
		USSN 10/507,864		Hagmann et al.	
		2004/0058820		Hagmann et al.	03/25/2004
		USSN 60/515,705		Shah et al.	
		USSN 60/483,679		Burns et al.	
		6344474		Maruani et al.	02/05/2002
		5420132		Guillaumet et al.	05/30/1995
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
			WO 04/040040		UHDE GMBH	05/13/2004
			WO 02/076945		Ortho-MacNeil Pharmaceutical, Inc.	10/03/2002
			EP 1 328 269		Aventis Pharmaceutical S.A.	05/26/2004
			WO 01/85092		Sanofi-Synthelabo	11/15/2001
			WO 01/58450		Sanofi-Synthelabo	08/16/2001
			WO 03/082256		Sanofi-Synthelabo	10/09/2003
			WO 99/02499		Japan Tobacco Inc.	01/21/1999
			WO 97/29079		Japan Tobacco Inc.	08/14/1997
			WO 00/10968		Bayer Aktiengesellschaft	03/02/2000
			WO 00/10967		Bayer Aktiengesellschaft	03/02/2000

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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PACIFIC TEL. DIRECTORY OFFICE
San Francisco

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Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number Kind Code (if known)		
			WO 98/37061	Bayer Aktiengesellschaft	08/27/1998
			WO 98/41519	SmithKline Beecham Corporation	09/24/1998
			WO 98/31227	SmithKline Beecham Corporation	07/23/1998
			EP 658546	Sanofi-Synthelabo	05/23/2001
			WO 98/56754	L'Oreal	12/17/1998
			WO 98/36749	Bristol-Myers Squibb Company	08/27/1998
			WO 96/25426	BASF Aktiengesellschaft	08/26/1996
			EP 596326	Dr. Karl Thomae GmbH	08/23/1995
			WO 01/09120	Ortho-MacNeil Pharmaceutical, Inc.	02/08/2001
			WO 99/42086	Merck Patent GMBH	08/26/1999

Date
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STATEMENT BY APPLICANT

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of

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COMPLETELY KNOWN

Application Number

10/509,5

Filing Date

September 29, 2004

First Named Inventor

L.A. Castonguay et al.

Group Art Unit

Examiner Name

Attorney Docket Number

21085YP

[illegible]

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
			WO 03/082190		Merck & Co., Inc.	10/09/2003
			WO 03/077847		Merck & Co., Inc.	09/25/2003
			WO 03/087037		Merck & Co., Inc.	10/23/2003
			WO 96/33159		Abbott Laboratories	10/24/1996

Date
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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

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Sheet

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of

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Attorney Docket Number

21085YP

COMPLETELY KNOWN

Application Number

10/509,5

Filing Date

September 29, 2004

First Named Inventor

L.A. Castonguay et al.

Group Art Unit

Examiner Name

NON PATENT LITERATURE DOCUMENTS

Examiner
Initials*

Cite
No.

Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

AA

Barth, Exp. Opin. Ther. Patents, Vol. 8 (1998), pp. 301-313, "Cannabinoid receptor agonists and antagonists"

AB

Xiang et al., Ann. Rep. Med. Chem., A. Doherty, ed., Academic Press, NY (1999), Vol. 34, pp. 199-208, "Chap. 20. Pharmacology of cannabinoid receptor agonists and antagonists"

AC

Goya et al., Exp. Opin. Ther. Patents, Vol. 10 (2000), pp. 1529-1538, "Recent advances in cannabinoid receptor agonists and antagonists"

AD

Piomelli et al., Trends in Pharm. Sci., Vol. 21 (2000), pp. 218-224, "The endocannabinoid system as a target for therapeutic drugs"

Examiner
Signature

Date
Considered

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